Hon'ble Prafulla C. Pant, J.

Heard learned counsel for the petitioners and learned Standing Counsel for the respondents.

By means of this writ petition, the petitioners have sought writ in the nature of mandamus commanding the respondents directing them to consider the claim of the petitioners, who are members of Scheduled Castes, in the promotion form the post of Forest Guards to the Foresters. The order dated 07.09.2007, passed by respondent no. 3, Conservator of Forest, Western Circle, Uttarakhand, Nainital, has sought to be quashed.

Learned counsel for the petitioners argued that being members of Scheduled Caste, the petitioners are entitled to be considered for promotions as per the roster mentioned in the Government Order dated 31st August 2001. It is further submitted on behalf of petitioner that by order dated 07.09.2007, the respondent no. 3 has invited character rolls of the Forest Guards from serial no. 1 to serial no. 100, in the seniority list. It is contended that it does not include the members of Scheduled Castes.

Learned counsel for the petitioners and learned Standing Counsel agree that this writ petition may be disposed of directing respondent no. 3 to consider the representation of the petitioner, dated 11.09.2007 (copy of which is Annexure 4 to the writ petition).

Having heard learned counsel for the parties and after considering their submissions this writ petition is summarily disposed of directing respondent no. 3 to decide the representation dated 11.09.2007 (copy Annexure 4 to the writ petition) within a period of two months from the date certified copy of this order is produced before him, and to consider the case of the petitioners and other members of Scheduled Caste, if entitled to promotion as per the Rules and Government Orders.

(P.C.P., J.)

Dated.20.9.2007
NS